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October 18, 2023

**Via ECF**

Hon. Jesse M. Furman  
Thurgood Marshall  
United States District Court  
40 Foley Square  
New York, NY 10007

Re: *Kargar et al. v. Kamolov et al.*  
22-cv-664 (JMF)

Your Honor:

This office represents Defendants (except for Defendant Kamolov) in the above captioned matter. Officially, this is a motion to compel Plaintiffs to respond to Defendants' proposed edits to the settlement agreement. Unofficially, this motion serves to protect myself from sanctions or upsetting the Court. I am stuck between a rock and a hard place. More than a week has transpired since I provided proposed edits to the settlement agreement Plaintiffs' counsel. Despite a recent inquiry, Plaintiffs' counsel has still not responded. This has been a theme since the parties reached a settlement in principle.

The relevant timeline of trying to finalize the settlement agreement is as follows. As the timeline reflects, Plaintiffs are not working with the necessary sense of urgency to resolve this matter.

- On Thursday September 21, 2023 Penn Dodson informs my office that we have a deal in principle. Ms. Dodson states that she will "get [me] a draft asap. Lets not let it linger."
- However, it did linger. I did not timely receive a settlement draft. Accordingly, on October 2, 2023 I sent a follow up e-mail to Ms. Dodson asking why I had not yet received a draft.
- On October 3, 2023 I received a settlement draft from Ms. Dodson that was not approved by her co-counselor Marcus Nussbaum (Mr. Nussbaum directly represents Plaintiffs Sergio Perez Diaz and Sabina Kargar while Ms. Dodson directly represents Plaintiff Shaina Foster).
- On October 4, 2023 Mr. Nussbaum approved Ms. Dodson's proposed agreement.

- On October 9, 2023 I provided proposed edits to the settlement agreement to Plaintiffs' counsel.
- On October 17, 2023 at 8:32 am I sent a follow up e-mail to Plaintiffs' counsel with respect to my proposed edits. Plaintiffs' counsel did not respond.

I recognize that the Court does not enjoy hearing these types of disputes. However, considering my prior appearances before Your Honor, frankly I feel the need to protect myself.

For the reasons discussed above, I request that the Court order Plaintiffs to respond to Defendants' proposed edits to the settlement agreement. Such an order will hopefully ensure that the parties do not seek a further extension to provide the Court with the proposed settlement agreement.

Respectfully submitted,

/s Jacob Aronauer

Jacob Aronauer

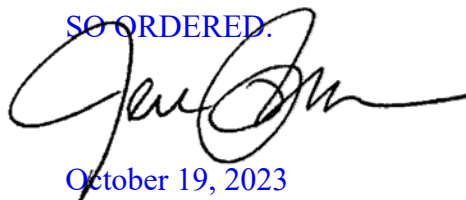
*Attorney for Defendants(except for Mr. Kamolov)*

cc: **Via ECF**

*All attorneys on record*

Plaintiffs shall respond to Defendants' proposed edits no later than **October 20, 2023**. Failures to do so will result in sanctions for Plaintiffs' counsel. The October 23, 2023 deadline for the parties' proposed settlement agreement and joint letter, *see* ECF No. 166, remains in effect. The Clerk is directed to terminate ECF No. 167.

**SO ORDERED.**



October 19, 2023